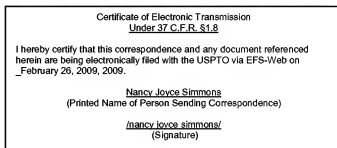


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kathleen M. Miller
Serial No.: 10/789,398
Filed: 02/27/2004
Title: **IMPLANTABLE OR INSERTABLE MEDICAL DEVICE RESISTANT
TO MICROBIAL GROWTH AND BIOFILM FORMATION**
Art Unit: 3738
Examiner: Thomas Sweet
Confirmation No.: 4925
Docket No.: 98-P0151US2
VIA EFS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



AMENDMENT IN RESPONSE TO FINAL OFFICE ACTION

Sir:

This is a response to the Office Action mailed on June 27, 2008. On December 29, 2008, Applicant filed a Notice of Appeal and a Petition for a three-month extension of time. Thus, a reply is due on Monday, March 2, 2009 and is being timely filed. A Request for Continued Examination is being concurrently filed with this Amendment.

Please kindly consider the following amendments and remarks.

Amendments to the Claims are reflected in the listing of claims which begins on page 2.

Remarks/Arguments begin on page 16.